



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, DC 20460

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

November 17, 2015

Ms. Kristen B. Knox  
Regulatory Affairs Manager  
for Nippon Soda Co., Ltd.  
c/o Nisso America, Inc.  
88 Pine Street, 14<sup>th</sup> Floor  
New York, NY 10005

Subject: Label Amendment – Addition of Mitigation Required by Registration Review  
Product Name: Confirm® 70 WSP Insecticide  
EPA Registration Number: 8033-112  
Application Date: March 24, 2015  
Decision Number: 502619

Dear Ms. Knox:

The amended label referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act, as amended, is acceptable. This approval does not affect any conditions that were previously imposed on this registration. You continue to be subject to existing conditions on your registration and any deadlines connected with them.

A stamped copy of your labeling is enclosed for your records. This labeling supersedes all previously accepted labeling. The next label printing of this product must use this labeling unless subsequent changes have been approved. You must submit one copy of the final printed labeling before you release the product for shipment with the new labeling. In accordance with 40 CFR 152.130(c), you may distribute or sell this product under the previously approved labeling for 18 months from the date of this letter. After 18 months, you may only distribute or sell this product if it bears this new revised labeling or subsequently approved labeling. "To distribute or sell" is defined under FIFRA section 2(gg) and its implementing regulation at 40 CFR 152.3.

Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance.

Page 2 of 2  
EPA Reg. No. 8033-112  
Decision No. 502619

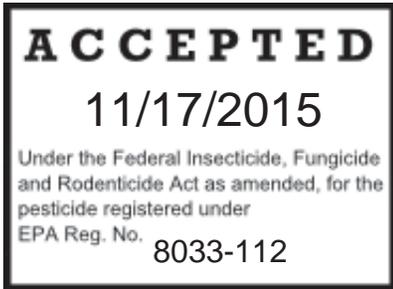
Your release for shipment of the product constitutes acceptance of these conditions. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA section 6. If you have any questions, please contact Mr. Carmen J. Rodia, Jr. by phone at (703) 306-0327, or via e-mail at [Rodia.Carmen@epa.gov](mailto:Rodia.Carmen@epa.gov).

Sincerely,



Richard Gebken  
Product Manager 10  
Invertebrate & Vertebrate Branch 2  
Office of Pesticide Programs

*Enclosure: Label Stamped "Accepted," dated 11/17/2015*



DRAFT version 5-19-15 / KBK edits 11-17-15



# Confirm<sup>®</sup> 70 WSP

## Insecticide

**Active Ingredient:**

Tebufenozide: Benzoic acid, 3,5-dimethyl-,1-(1,1-dimethylethyl)-2-(4-ethylbenzoyl) hydrazide..... 70.00%

**Other Ingredients** ..... 30.00%

**Total**.....100.00%

**Keep Out of Reach of Children**  
**CAUTION**

**Agricultural Use Requirements**

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. Refer to the label booklet under "Agricultural Use Requirements" in the Directions for Use section for information about this standard.

**Refer to inside of label booklet for additional precautionary information including Directions for Use.**

**Notice:** Read the entire label. Use only according to label directions. **Before using this product, read "Warranty Disclaimer," Inherent Risks of Use," and "Limitation of Remedies" at end of label booklet. If terms are unacceptable, return at once unopened.**

Agricultural Chemical: Do not ship or store with food, feeds, drugs or clothing.

EPA Reg. No. 8033-112

EPA Est. No. \_\_\_\_\_

Net Contents \_\_\_\_\_

®Trademark of Nippon Soda Co., Ltd.

Nippon Soda Co., Ltd.  
c/o Nisso America Inc.  
88 Pine Street, 14<sup>th</sup> Floor  
New York, NY 10005

**PRECAUTIONARY STATEMENTS**  
**HAZARDS TO HUMANS AND DOMESTIC ANIMALS**

Harmful if swallowed, inhaled, or absorbed through the skin. Causes moderate eye irritation. Avoid contact with skin, eyes, or clothing. Avoid breathing spray mist. Wash hands thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Keep and wash PPE separately from other laundry.

**PERSONAL PROTECTIVE EQUIPMENT (PPE)**

Mixers, loaders, applicators and other handlers must wear the following: Long-sleeved; Long pant; Shoes and socks; and waterproof gloves.

**User Safety Requirements**

Follow manufacturer's instructions for cleaning/ maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

**User Safety Recommendations**

Users should wash hands before eating, drinking, chewing gum, using tobacco, or using the toilet. Users should remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Users should remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

**Engineering Controls**

When handlers use closed systems, enclosed cabs or aircraft in a manner that meet the requirements listed in the Worker Protection Standards (WPS) for agricultural pesticides [40 CFR 170.240(d) (4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

Water-soluble packets when used correctly qualify as a closed mixing/loading system under the Worker Protection Standard for Agricultural Pesticides [40 CFR 170.240(d)(4)]. Mixers and loaders using water-soluble packets must:

- Wear the personal protective equipment required in the PPE section of this labeling for mixers and loaders.

Pilots must use an enclosed cockpit that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(6)].

**FIRST AID**

**If in eyes:** Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye. Call a poison control center or doctor for treatment advice.

**If inhaled:** Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. Call a poison control center or doctor for further treatment advice.

**If on skin or clothing:** Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call a poison control center or doctor for treatment advice.

**If swallowed:** Call a poison control center or doctor immediately for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give anything by mouth to an unconscious person.

**Have the product container or label with you when calling a poison control center or doctor, or going for treatment.** For additional information on this pesticide product (including health concerns, medical emergencies or pesticide incidents), you may call 1-800-992-5994, twenty-four (24) hours per day seven (7) days per week.

**Environmental Hazards**

This product is toxic to aquatic invertebrates. Drift and runoff may be hazardous to aquatic organisms in neighboring areas. Under some conditions, this chemical may also have a high potential for runoff into surface water for several weeks or months after application. Do not cultivate within 10 feet of aquatic areas so as to allow growth of a vegetative filter strip. Drift from applications of this pesticide is likely to result in damage to sensitive aquatic invertebrates in water bodies adjacent to treatment area. For terrestrial uses, do not apply directly to water or to areas where surface water is present or to inter-tidal areas below the mean high water mark, except under forest canopy when aerially applied to control forest pests. Do not contaminate water when disposing of equipment wash-waters and rinsate. Do not apply when weather conditions favor drift or runoff from areas treated.

### **Ground Water Advisory**

Confirm 2F has properties and characteristics associated with chemicals detected in ground water. This chemical may leach into ground water if used in areas where soils are permeable, particularly where the water table is shallow.

### **DIRECTIONS FOR USE**

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Read all Directions for Use carefully before applying.

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your state or tribe, consult the agency responsible for pesticide regulation.

### **AGRICULTURAL USE REQUIREMENTS**

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR Part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 4 hours. PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil or water, is:

- Coveralls
- Waterproof gloves
- Socks and chemical-resistant footwear

### **STORAGE AND DISPOSAL**

Do not contaminate water, food, or feed by storage or disposal.

**PESTICIDE STORAGE:** Store this product in its original container in a cool (temperature no less than 32°F), dry, well ventilated area that is inaccessible (preferably locked) to children and pets.. Do not store in a manner where cross-contamination with other pesticides, fertilizers, food or feed could occur. If spilled during storage or handling, sweep up spillage and dispose of in accordance with the Pesticide Disposal Instructions listed below.

**PESTICIDE DISPOSAL:** Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal Law. If these wastes cannot be used according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

#### **CONTAINER DISPOSAL:**

Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available or dispose of the empty outer foil pouch in the trash as long as the WSP is unbroken.

## **Product Information**

Confirm 70 WSP Insecticide mimics the action of the natural insect hormone 20-hydroxyecdysone, the physiological inducer of the molting and metamorphosis process in insects. Confirm 70 WSP is highly active against most lepidopterous larvae while having practically no activity at typical use-rates against other orders of insects. Confirm 70 WSP controls lepidopterous larvae through a novel mode-of-action by the induction of a premature lethal molt which initiates within hours of ingestion of treated crop surfaces. Contact activity has also been observed in some insects. Actual death of the larvae will take several days to occur although feeding by the insects generally ceases within 24 hours of ingestion.

## **Use Rate Determination**

Carefully read, understand and follow label use rates, recommendations and restrictions. Apply the amount specified in the crop specific tables listed in this label with properly calibrated aerial or ground spray equipment. The low rates may be used for light infestations of the target lepidopterous species and the higher rates for moderate to heavy infestations. Confirm 70 WSP may be applied in either dilute or concentrate sprays so long as the application equipment is calibrated and adjusted to deliver thorough, uniform coverage. Use the specified amount of Confirm 70 WSP per acre regardless of spray volume used. Prepare only the amount of spray solution required to treat the measured acreage.

## **Compatibility**

Confirm 70 WSP is believed to be compatible with most commonly used agricultural fungicides, insecticides, growth regulators, foliar fertilizers and spray adjuvants. If in doubt, the user should consult spray compatibility charts or State Cooperative Extension Specialists prior to preparing tank mixtures.

## **Mixing**

Fill spray tank one-third to one-half full of clean water before adding water-soluble pouches to the spray tank. Place the Confirm 70 WSP pouches in the spray tank and insure that the pouches are completely dissolved before adding other co-applied products. Add the required number of pouches as determined by the dosage recommendations into the tank with continuous agitation. Depending on the water temperature and the degree of agitation, the pouches should completely dissolve within approximately five minutes.

**Note:** Confirm 70 WSP Insecticide is compatible with boron and spray oils; however, the water soluble pouches must be completely dissolved before adding spray oils or products containing boron to spray mixtures.

## **Handling**

The enclosed pouches of Confirm 70 WSP are water soluble. Do not allow pouches to become wet prior to adding to the spray tank. Do not handle the pouches with wet hands or wet gloves. Always reseal over wrap bag to protect remaining unused pouches. Do not remove water-soluble pouches from over wrap except to add directly to the spray tank.

## **Application Timing**

The activity of Confirm 70 WSP is expressed primarily through ingestion by the target larvae. Consequently, the timing of application is dependent upon the feeding behavior of the target pest. For internal feeding larvae, application must be made prior to the time that surface feeding occurs. For foliar or surface feeding larvae, application made while active feeding is occurring will be effective.

Re-application may be required to protect new flushes of foliage or rapidly expanding fruit. The re-application interval will vary depending upon how rapidly the crop is growing and the generation time of the target pest. While Confirm 70 WSP is essentially equally effective against all instars, it is generally good practice to make applications to early instars to avoid the heavy damage that can be inflicted by later instar larvae.

For best results, begin applications when first signs of feeding damage or when threshold levels of moths, eggs or larvae occur. Consult the Cooperative Extension Service, or other qualified professional authorities to determine the appropriate threshold for application in your area.

## **Application Instructions**

Because Confirm 70 WSP must be ingested by the larvae, application must be in a manner that assures uniform and thorough coverage. Higher water volume and increased spray pressure generally provide better coverage. Operating an air-blast sprayer at ground speeds greater than 2 mph and making applications in an alternate row middle pattern in tree crops may result in less than satisfactory coverage and poor performance, particularly in conditions of high pest infestation levels, extremely large trees and/or dense foliage. Avoid application under conditions when uniform coverage cannot be assured or when excessive spray drift may occur.

A minimum of six hours drying time is required between completion of application and the onset of precipitation to ensure retention of the spray deposit.

**Chemigation**

Do not apply this product through any type of irrigation system except as specified for use on cranberries.

**Spray Adjuvants**

The addition of agricultural adjuvants to Confirm 70 WSP sprays will improve initial spray deposits, redistribution and weatherability.

Place Confirm 70 WSP into suspension prior to adding an adjuvant to the spray mixture. Read and carefully observe the precautionary statements and all other information appearing on all product labels prior to spray preparation.

**Resistance Management**

Any insect population may contain individuals that are naturally resistant to a specific pesticide, therefore, the use of any one insecticide against many consecutive generations of a pest can result in the development of resistance problems. To prevent or delay the development of resistance, Nippon Soda Co., Ltd. recommends rotation of Confirm 70 WSP with insecticides of alternate modes of action and the utilization of Integrated Pest Management practices such as routine monitoring, the use of treatment thresholds to time applications and cultural and biological controls wherever possible. It is further recommended that Confirm 70 WSP not be used on more than three consecutive generations of a pest. Since the development of resistance cannot be predicted we suggest that you consult local or State Extension personnel or your local Nippon Soda Co., Ltd. representative for resistance management guidance appropriate to your crop, locality and production practices.

**Rotational Crop Restrictions**

The following rotational crops may be planted at intervals defined below following the final application of Confirm 70 WSP at the recommended rates for a registered use.

Crop	Re-Cropping Intervals
Crops for which CONFIRM 70 WSP use is registered	No restrictions
All other crops grown for food and feed including Root/tuber/bulb crops, cucurbit vegetables, legume vegetables, cereal grains, grasses and non-grass animal feeds	30 days

**Note:** When using Confirm 70WSP with other registered pesticides, always refer to rotational restrictions and precautions on the other product's label and comply with the most restrictive rotational guidelines.

**Note to Reviewer: The following language will appear on each individual water-soluble packet**

<b>Confirm® 70 WSP Insecticide</b>	
<b>Active Ingredient:</b>	
Tebufenozide: Benzoic acid, 3,5-dimethyl-,1-(1,1-dimethylethyl)-2-(4-ethylbenzoyl) hydrazide.....	70.00%
<b>Other Ingredients</b> .....	<b>30.00%</b>
<b>Total</b> .....	<b>100.00%</b>
<b>EPA Reg. No. 8033-112</b>	

**Keep Out of Reach of Children  
CAUTION**

Follow all applicable directions, restrictions, Worker Protection Standards requirements, and precautions on the EPA registered label

**COLE CROPS<sup>1</sup>, LEAFY VEGETABLES<sup>2</sup> and TURNIPS (Tops and Roots)**

<sup>1</sup>**Cole (*Brassica*) crops includes:** broccoli, Chinese broccoli, broccoli raab, Brussels sprouts, cabbage, bok choy, napa cabbage, Chinese mustard cabbage, cauliflower, cavalo broccolo, collards, kale, kohlrabi, mizuna, mustard greens, mustard spinach, rape greens.

<sup>2</sup>**Leafy vegetables (except *Brassica*) includes:** amaranth, arugula, cardoon, celery, Chinese celery, celtuce, chervil, edible-leaved chrysanthemum, garland chrysanthemum, corn salad, garden cress, upland cress, dandelion, dock, endive, florence fennel, lettuce, orach, parsley, garden purslane, winter purslane, radicchio, rhubarb, spinach, New Zealand spinach, vine spinach, Swiss chard.

**Ground Application:** Apply a minimum of 10 gallons per acre by conventional ground equipment to young crop and small plants. Apply a minimum of 20 gallons per acre to densely foliated or difficult to cover crops to ensure thorough coverage.

**Aerial Application:** For optimum performance a minimum application volume of 10 gallons per acre is recommended. Lower carrier volumes may result in less uniform coverage and reduced efficacy.

**Spray Adjuvants:** One pint of adjuvant per 100 gallons of spray mixture is recommended to maximize coverage and distribution of the spray material.

Target Pests	Application Rate Acres per Pouch*	Confirm 70 WSP oz./acre	Application Timing	Restrictions
Beet armyworm Cabbage Looper Cabbage webworm Cross-striped cabbageworm Fall armyworm Garden webworm Imported cabbageworm	1.0 – 1.3	2.1 – 2.7 (0.09 – 0.12 lb. ai/A)	For early-season applications only to young crop and small plants. Begin applications when first signs of feeding damage appear or when infestations reach threshold levels as defined by Cooperative Extension Service or other qualified professional authorities.	The maximum application rate is 2.7 oz. (0.12 lb. ai) per acre per application.  Do not apply more than 13.5 oz. of Confirm 70 WSP per acre per crop cycle.
Southern armyworm True armyworm Yellowstriped armyworm	1.0	2.7 (0.12 lb. ai/A)	For mid- to late-season applications and to heavier infestations and under conditions in which thorough coverage is more difficult. Under heavy infestations, continuous moth flights and/or egg masses and larvae in all stages of development, reapplication on a 10 to 14 day schedule will be required to protect new growth until moth flights and/or hits subside.	Do not apply more than 40.5 oz. of Confirm 70 WSP per acre per calendar year.  The minimum retreatment interval is 10 days.  The Pre-Harvest Interval (PHI) is 7 days.  See <b>Rotational Crop Restrictions</b> in the body of this label.

\*CONFIRM 70 WSP is supplied in water-soluble pouches containing 2.7 ounces of 70% ai wettable powder.

## COTTON

**Ground Application:** Make applications by conventional ground sprayers that are calibrated to deliver a minimum of 5 gallons per acre.

**Aerial Application:** Make applications of Confirm 70 WSP in a minimum of 2 gallons per acre.

**Spray Adjuvants:** Use of a spreader-binder following the manufacturer's labeling is recommended to maximize coverage and distribution of spray mixture.

Target Pests	Application Rate Acres per Pouch*	Confirm 70 WSP oz./acre	Application Timing	Restrictions
Beet armyworm	1.0 – 1.9	1.4 – 2.7 (0.06 - 0.12 lb. ai/A)	For early-season (pre-squaring) applications only. Apply when infestations reach threshold levels as defined by Cooperative Extension Service or other qualified professional authorities.	<p>The maximum application rate is 5.7 oz. (0.25 lb. ai) per acre per application.</p> <p>Do not apply more than 22.8 oz of Confirm 70 WSP per acre per crop cycle per calendar year.</p> <p>The minimum retreatment interval is 10 days.</p> <p>The Pre-Harvest Interval (PHI) is 14 days.</p> <p>See Rotational Crop Restrictions in the body of this label.</p>
	0.5 - 1.0	2.7 – 5.7 (0.12 - 0.25 lb. ai/A)	For mid- to late-season applications and infestations of 2 to 10 hits per 100 row ft. Use the higher rates for heavier infestations and under conditions in which thorough coverage is more difficult. Under heavy infestations, continuous moth flights and/or egg masses and larvae in all stages of development, reapplication on a 10- to 14-day schedule will be required to protect new growth until moth flights and/or hits subside.	
Cabbage looper Fall armyworm Southern armyworm True armyworm Yellowstriped armyworm	0.5 - 1.0	2.7 – 5.7 (0.12 - 0.25 lb. ai/A)	Apply when infestations reach threshold levels as defined by Cooperative Extension Service or other qualified professional authorities	

\*CONFIRM 70 WSP is supplied in water-soluble pouches containing 2.7 ounces of 70% ai wettable powder

## CRANBERRY

**Ground Application:** Make applications by conventional ground sprayers which are calibrated to deliver a minimum of 20 gallons per acre.

**Aerial Application:** Make applications of Confirm 70 WSP in a minimum of 10 gpa.

**Chemigation: For use only in solid-set sprinkler systems designed specifically for chemigation.** Apply through a properly calibrated chemigation system that has the appropriate back flow prevention devices. See the “Mixing” section of this labeling for specific mixing and dilution instructions. Confirm 70 WSP should be applied in dedicated chemigation cycles only, not as a part of a regular irrigation cycle. Do not exceed 900 gallons of water per acre application volume. Minimum volume should be used for

flush out to avoid diluting or rinsing off product. Washout time should not exceed six (6) minutes. Sprinkler heads should be set in a spacing not exceeding 50 feet by 60 feet and adjusted to provide 100% overlap. Crop injury, lack of effectiveness, or illegal pesticide residues can result from non uniform distribution of treated water.

**Use Restrictions for Applications Through Chemigation Systems**

- Do not connect an irrigation system used for pesticide application to a public water system unless the pesticide label-prescribed safety devices for public water systems are in place.
- Chemigation systems connected to public water systems must contain a functional reduced-pressure zone (RPZ), back flow preventer or the functional equivalent in the water supply line upstream from the point of pesticide introduction. As an option to the RPZ, the water from the public water system should be discharged into a reservoir tank prior to pesticide introduction. There shall be a complete physical break (air gap) between the outlet end of the fill pipe and the top or overflow rim of the reservoir tank of at least twice the inside diameter of the fill pipe.
- Systems not connected to a public water supply must contain a functional check valve, vacuum relief valve, and low-pressure drain appropriately located in the irrigation pipeline to prevent water source contamination from back flow.
- The pesticide injection pipeline must contain a functional, automatic, quick-closing check valve to prevent the flow of fluid back toward the injection pump.
- The pesticide injection pipeline must also contain a functional, normally closed solenoid-operated valve located on the intake side of the injection pump and connected to the system interlock to prevent fluid from being withdrawn from the supply tank when the irrigation system is either automatically or manually shut down.
- The system must contain functional interlocking controls to automatically shut off the pesticide injection pump when the water pump motor stops, or in cases where there is no water pump, when the water pressure decreases to the point where pesticide distribution is adversely affected.
- The irrigation line or water pump must include a functional pressure switch that will stop the water pump motor when the water pressure decreases to the point where pesticide distribution is adversely affected.
- Systems must use a positive displacement, metering injection pump (e.g. diaphragm pump), effectively designed and constructed of materials that are compatible with pesticides and capable of being fitted with a system interlock.
- Do not apply when wind speed favors drift beyond the area intended for treatment.
- If you have questions about calibration, you should contact State Extension Service specialists, equipment manufacturers or other experts.

Target Pests	Application Rate Acres per Pouch*	Confirm 70 WSP oz./acre	Application Timing	Restrictions
Blackheaded fireworm	0.5	5.7 (0.25 lb. ai/acre)	<b>First generation:</b> Apply at first sign of larval infestation and make a second application 7 to 10 days following the first application. <b>Second generation:</b> Make the first application at 10 to 20% egg hatch (typically 8 to 12 days following biofix <sup>1</sup> ) followed by a second application 7 to 10 days later.	Do not apply more than 22.8 oz of Confirm 70 WSP per acre per calendar year.  The minimum retreatment interval is 7 days.  The Pre-Harvest

Spotted fireworm			<p><b>First generation:</b> Apply to small larvae before webbing occurs when threshold infestations are detected by sweep net sampling. Make a second application 7 to 10 days following the first application to heavy infestations or sustained moth flight.</p> <p><b>Second generation:</b> Make the first application at 10 to 20% egg hatch (usually mid- to late June) followed by a second application 7 to 10 days later.</p>	Interval (PHI) is 30 days.
Sparganothis fruitworm		<p><b>First generation:</b> Initiate applications as soon as larvae are detected by sweep net sampling. Make a second application in 7 to 14 days.</p> <p><b>Summer generation:</b> Make the first application at 5 to 10% egg hatch (usually 10 to 14 days following biofix) followed by a second application 7 to 10 days later (about 60% egg hatch).</p>		
Cranberry fruitworm		<p>Apply at initiation of egg laying (approximately 400 Day Degrees (DD) following biofix-base 50°F). Make a second application at 100% petal fall (usually 7 to 14 days after the initial application). Additional applications at 10- to 14-day intervals may be required under high pressure or sustained moth flight.</p> <p>Chemigation application for control of cranberry fruitworm is not recommended.</p>		
Blossom worm False armyworm Gypsy moth		<p>Apply when larvae are in the 1st to 3rd instar and when action thresholds are reached based on local Extension Service recommendations.</p>		
Spanworms		<p>Initiate applications when infestations reach threshold levels based on sweep net sampling. Additional applications at 10- to 14-day intervals may be required under high pressure or sustained moth flight.</p>		

<sup>1</sup>Biofix is defined as first sustained adult catch in pheromone traps, typically, five moths in three traps within a seven-day period. Consult State Extension Specialists or other qualified authorities for specific information regarding number, placement and management of pheromone traps.

\*Confirm 70 WSP is supplied in water-soluble pouches containing 2.7 ounces of 70% ai wettable powder.

## FRUITING VEGETABLES<sup>1</sup>

<sup>1</sup>**Fruiting vegetables includes:** eggplant, ground cherry, pepino, pepper (bell, chili, cooking), pimento, tomatillo and tomato.

**Ground Application:** Apply a minimum of 10 gallons per acre by conventional ground equipment to young crop and small plants. Apply a minimum of 20 gallons per acre to dense foliage or difficult to cover crops to ensure thorough coverage.

**Aerial Application:** For optimum performance a minimum application volume of 10 gallons per acre is recommended. Lower carrier volumes may result in less uniform coverage and reduced efficacy.

**Spray Adjuvant:** One pint of spreader-binder per 100 gallons of spray mixture is recommended to maximize coverage and distribution of the spray material.

Target Pests	Application Rate Acres per Pouch*	Confirm 70 WSP oz./acre	Application Timing	Restrictions
Alfalfa looper Beet armyworm Black cutworm Cabbage looper European corn borer Fall armyworm Imported cabbageworm Southern armyworm Tobacco hornworm Tomato hornworm True armyworm Yellowstriped armyworm	1.0 – 1.3	2.1 – 2.7 (0.09 - 0.12 lb. ai/acre)	For early-season applications only to young crop and small plants. Begin applications when first signs of feeding damage appear or when infestations reach threshold levels as defined by Cooperative Extension Service or other qualified professional authorities	The maximum application rate is 5.7 oz. (0.25 lb. ai) per acre per application.  Do not apply more than 22.8 oz. of Confirm 70 WSP per acre per crop cycle.
	0.5 – 1.0	2.7 – 5.7 (0.12 - 0.25 lb ai/acre)	For mid- to late-season applications and to heavier infestations and under conditions in which thorough coverage is more difficult. Under heavy infestations, continuous moth flights and/or egg masses and larvae in all stages of development, reapplication on a 10- to 14-day schedule will be required to protect new growth until moth flights and/or hits subside.	Do not apply more than 45.6 oz. of Confirm 70 WSP per acre per year.  The minimum retreatment interval is 10 days.  The Pre-Harvest Interval (PHI) is 7 days.  See Rotational Crop Restrictions in the body of this label.

\*CONFIRM 70 WSP is supplied in water-soluble pouches containing 2.7 ounces of 70% ai wettable powder

## POME FRUITS

(apples, crabapples, loquat, mayhaw, pears including oriental, quince)

**Ground Application:** Make applications of Confirm 70 WSP by conventional ground sprayers which are calibrated to deliver a minimum of 50 gallons per acre to trellised trees or trees 10 feet tall or less. For trees greater than 10 feet tall, use a minimum of 100 gallons per acre

**Aerial Application:** Make applications of Confirm 70 WSP in a minimum of 20 gallons per acre. Confirm 70 WSP can be applied by aerial applications when situations warrant. However, this method should not be used if the size of the tree or density of the foliage prohibits thorough, uniform coverage of the entire tree canopy.

**Spray Adjuvant:** The use of a spreader-sticker to maximize uniform coverage and distribution of the spray material is recommended.

Target Pests	Application Rate Acres per Pouch*	Confirm 70 WSP oz./acre	Application Timing	Restrictions
Codling moth (east of the Rockies)	0.4	7.1 (0.31 lb. ai/acre)	For each codling moth generation, apply at initiation of egg hatch [150 to 250 Day Degrees (DD), base 50°F, following biofix <sup>1</sup> ] followed by a second application at 10 to 15 days following the first application (usually 450 to 550 DD). Additional applications at 10 to 15-day intervals may be required under high infestations, sustained moth flight, or to ensure coverage of rapidly expanding fruits or foliage.	The maximum application rate is 7.1 oz. (0.31 lb. ai) per acre per application.  Do not apply more than 42.6 oz of Confirm 70 WSP per acre per calendar year.  The minimum retreatment interval is 7 days.
Codling moth (west of the Rockies) For use against low to moderate infestations in conjunction with alternate control measures such as in established Mating Disruption blocks.				
Obliquebanded leafroller (west of the Rockies)			<p><b>Spring (overwintering) generation:</b> Make 1 to 2 applications during the pink to petal fall period depending upon infestation level.</p> <p><b>Summer generation:</b> Begin applications at early egg lay through early egg hatch (usually 200 to 400 DD, base 43°F, following biofix<sup>1</sup>). Make a second application at 10 to 18 days later (usually 650 to 850 DD).</p> <p>A third application 10 to 14 days after the second application may be required under high pressure, sustained moth flight or prolonged shoot growth.</p>	The Pre-Harvest Interval (PHI) is 14 days.  Do not graze livestock in treated areas or feed cover crops grown in treated areas to livestock.

Obliquebanded leafroller			<p><b>Spring (overwintering) generation:</b> Make 1 to 2 applications during the pink to petal fall period depending on infestation level.</p> <p><b>Summer generation:</b> Begin applications at peak moth flight (200 to 300 DD, base 43°F, following biofix<sup>1</sup>). Make a second application 7 to 14 days later (usually 500 to 600 DD).</p> <p>A third application 10 to 14 days after the second application (usually 800 to 900 DD), may be required under high pressure, sustained moth flight or prolonged shoot growth.</p> <p><b>Fall overwintering generation:</b> Apply to late season larval infestations of overwintering generation to minimize damage to the fruit.</p>	
Pandemis leafroller			<p><b>Spring (overwintering) generation:</b> Make 1 to 2 applications during the pink to petal fall period depending on infestation level.</p> <p><b>Summer generation:</b> Begin applications at early egg lay through early egg hatch (250 to 400 DD, base 41°F, following biofix<sup>1</sup>).</p> <p>Make a second application 10 to 18 days (usually 600 to 800 DD). Under heavy infestation a third application may be required 10 to 14 days after the second application.</p>	
Tufted apple bud moth	0.4 – 0.6	4.3 – 7.1 (0.19 - 0.31 lb. ai/acre)	<p><b>First generation:</b> Make application at 10 to 30% egg hatch (600 to 900 DD, base 45°F, after biofix<sup>1</sup> depending upon local conditions). A second application at 60 to 90% egg hatch may be required under heavy infestation levels.</p> <p><b>Second generation:</b> Make the first application at 20 to 30% egg hatch (2300 to 2500 DD). A second application approximately 14 days later may be required under high pressures or sustained moth flight or late maturing varieties.</p>	

Eyespotted bud moth Fruittree leafroller Redbanded leafroller Variegated leafroller	0.4	7.1 (0.31 lb. ai/acre)	For control of other leafrollers, begin applications at early egg hatch for each generation. Make the first application before webbing and sheltering begins. Make a second application in 10 to 14 days to ensure complete coverage of rapidly expanding fruits or foliage.
Lesser appleworm			For each generation, apply at initiation of egg hatch before larvae enter the fruit. Make a second application 10 to 14 days following the first to ensure complete coverage of rapidly expanding fruits or foliage or under conditions of high infestation or sustained moth flight.
Green fruitworm Laconobia fruitworm	0.4 – 0.8	3.4 – 7.1 (0.15 - 0.31 lb. ai/acre)	Apply at initiation of egg hatch or at the first sign of larval infestation. A second application may be required 10 to 14 days following the first application to ensure complete coverage of rapidly expanding fruits or foliage.

<sup>1</sup>Biofix is defined as first sustained adult catch in pheromone traps, typically, five moths in three traps within a seven-day period. Consult State Extension Specialists or other qualified authorities for specific information regarding number, placement and management of pheromone traps.

\*CONFIRM 70 WSP Insecticide is supplied in water-soluble pouches containing 2.7 ounces of 70% ai wettable powder

## SUGARCANE

**Ground Application:** Make applications by conventional ground sprayers that are calibrated to deliver a minimum of 10 gallons per acre.

**Aerial Application:** Make applications of Confirm 70 WSP in a minimum of 2 gallons per acre. Higher carrier volume may be required to provide thorough coverage under conditions of high temperatures, low humidity or dense crop canopy.

**Spray Adjuvant:** Use of a spreader-binder following the manufacturer's labeling is recommended to maximize coverage and distribution of spray mixture.

Target Pests	Application Rate Acres per Pouch*	Confirm 70 WSP oz./acre	Application Timing	Restrictions
Sugarcane borer ( <i>Diatrea saccharalis</i> )	1.0 – 1.3	2.1 – 2.7 (0.09 - 0.12 lb. ai/acre)	Begin applications when first signs of feeding damage appear or when infestations reach threshold levels as defined by Cooperative Extension Service or other qualified professional authorities.	The maximum application rate is 5.7 oz. (0.25 lb. ai) per acre per application.  Do not exceed (?) applications per crop cycle.
Mexican rice borer	0.5	5.7	Under heavy infestations,	

( <i>Eoreuma loftini</i> )		(0.25 lb. ai/acre)	continuous moth flights and/or egg masses and larvae in all stages of development, reapplication on a 10- to 14-day schedule will be required to protect new growth until moth flights and/or hits subside.	Do not apply more than 22.8 oz. per acre per calendar year.  The minimum retreatment interval is 10 days.  The Pre-Harvest Interval is 14 days.  See Rotational Crop Restrictions in the body of this label.
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\*CONFIRM 70 WSP is supplied in water-soluble pouches containing 2.7 ounces of 70% ai wettable powder

### TREE NUTS

[almond, beech nut, Brazil nut, butternut, cashew, chestnut, chinquapin, filbert (hazelnut), hickory nut, macadamia (bush) nut, pecan, walnut (black and English) including pistachio]

#### Almond

**Ground Application:** Make applications of Confirm 70 WSP by conventional ground sprayers which are calibrated to deliver a minimum of 50 gallons per acre to almond trees 4th leaf or younger. For trees 5th leaf or older use a minimum of 100 gallons per acre. Ground speed of the sprayer should not exceed 2 mph.

**Aerial Application:** Make applications of Confirm 70 WSP in a minimum of 20 gallons per acre. Confirm 70 WSP can be applied by aerial applications when situations warrant. However, this method should not be used if the size of the tree or density of the foliage prohibits thorough, uniform coverage of the entire tree canopy.

Target Pests	Application Rate Acres per Pouch*	Confirm 70 WSP oz./acre	Application Timing	Restrictions
Peach twig borer	0.25 – 0.5	5.7 – 10.7 (0.25 - 0.47 lb. ai/acre)	<b>Spring (overwintering) generation:</b> Make 1 to 2 applications during the bloom to petal fall period depending on infestation level. <b>Summer generations:</b> Begin applications at peak moth flight (250 to 350 DD, base 50°F, following biofix) for each generation. Additional applications at 10- to 14-day intervals may be required under high pressure or sustained moth flight. Higher use rates may also be used for extended residual effectiveness, higher pest infestation levels, larger trees	The maximum application rate is 10.7 oz. (0.47 lb. ai) per acre per application.  Do not apply more than 43.5 oz. of Confirm 70 WSP per acre per calendar year.  The minimum retreatment interval is 10 days.  The Pre-Harvest

Navel orangeworm	0.25 - 0.4	6.4 – 10.7 (0.28 - 0.47 lb ai/acre)	or heavy, dense foliage. Make first application at the initiation of hull split and make a second application 10 to 14 days later. Under heavy infestation a third application may be required 10 to 14 days after the second application	Interval (PHI) is 14 days.  Do not graze livestock in treated areas or feed cover crops grown in treated areas to livestock.
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\*CONFIRM 70 WSP is supplied in water-soluble pouches containing 2.7 ounces of 70% ai wettable powder

### Pecans

**Ground Application:** Make applications of Confirm 70 WSP by conventional ground sprayers which are calibrated to deliver a minimum of 50 gallons per acre to trees 10 feet tall or less. For trees greater than 10 feet tall, use a minimum of 100 gallons per acre.

**Aerial Application:** Make applications of Confirm 70 WSP in a minimum of 5 gallons per acre. Confirm 70 WSP can be applied by aerial applications when situations warrant. However, application by this method may result in reduced efficacy if the size of the tree or density of the foliage prohibits thorough, uniform coverage of the entire tree canopy.

Target Pests	Application Rate Acres per Pouch*	Confirm 70 WSP oz./acre	Application Timing	Restrictions
Pecan nut casebearer	0.5 – 1.0	2.7 – 5.7 (0.12 - 0.25 lb. ai/acre)	For each generation, apply at the initiation of egg hatch (for first generation this is approximately 8 to 15 days following first sustained moth catch <sup>1</sup> ). Control of first generation pecan nut casebearer may require a second application under conditions of extended egg lay or for improved coverage of rapidly expanding nuts and foliage. Use higher rates for extended residual effectiveness, higher pest infestations, low crop load, larger trees or heavy, dense foliage.	The maximum application rate is 5.7 oz. (0.25 lb. ai) per acre per application.  Do not apply more than 43.5 oz of Confirm 70 WSP per acre per calendar year.  The minimum retreatment interval is 8 days.  The Pre-Harvest Interval (PHI) is 14 days.
Hickory shuckworm			Initiate applications at half-shell hardening. Make subsequent applications at 14-day intervals to shuck split or while nuts are susceptible to hickory shuckworm for heavy infestations.	Do not graze livestock in treated areas or feed cover crops grown in treated areas to livestock.
Fall webworm Walnut caterpillar			Make applications at the first sign of larval infestation.	

<sup>1</sup>First sustained moth catch (biofix) is defined as the date on which the total of five moths are captured in three pheromone traps within a seven-day period. Consult State Extension Specialists or other qualified authorities for specific information regarding number, placement and management of pheromone traps.

\*CONFIRM 70 WSP is supplied in water-soluble pouches containing 2.7 ounces of 70% ai wettable powder

## Walnuts

**Ground Application:** Make applications of Confirm 70 WSP by conventional ground sprayers which are calibrated to deliver a minimum of 50 gallons per acre to walnut trees 4th leaf or younger. For walnut trees 5th leaf or older, use a minimum of 100 gallons per acre. Ground speed of the sprayer should not exceed 2 mph.

**Aerial Application:** Make applications of Confirm 70 WSP in a minimum of 20 gallons per acre. Confirm 70 WSP can be applied by aerial applications when situations warrant. However, this method should not be used if the size of the tree or density of the foliage prohibits thorough, uniform coverage of the entire tree canopy.

**Split Application:** In order to achieve thorough uniform coverage of extremely tall, dense trees, it may be preferable to apply a split application composed of both aerial and ground methods. Both portions of the application must be made within the timing window as described below. The total amount of Confirm 70 WSP applied in a split application cannot exceed 10.7 oz per acre.

Target Pests	Application Rate Acres per Pouch*	Confirm 70 WSP oz./acre	Application Timing	Restrictions
Codling moth	0.25 – 0.5	5.7 – 10.7 (0.25 - 0.47 lb. ai/acre)	For each codling moth generation, apply at initiation of egg hatch (200 to 250 DD following biofix <sup>1</sup> ). Control of first generation codling moth may require a second application 10 to 14 days following first application to ensure complete coverage of rapidly expanding foliage and expanding surface area of the walnut. After plant foliage expansion and walnut growth has ceased, multiple applications (every 14 to 21 days) may be required to provide control of extended codling moth flights. Higher use rates may also be used for extended residual effectiveness, higher pest infestation levels, larger trees or heavy, dense foliage.	The maximum application rate is 10.7 oz. (0.47 lb. ai) per acre per application.  Do not apply more than 43.5 oz of Confirm 70 WSP per acre per calendar year.  The minimum retreatment interval is 10 days.  The Pre-Harvest Interval (PHI) is 14 days.
Navel orange worm			Apply at initiation of egg hatch.	
Fall webworm Redhumped caterpillar			Apply at first sign of larvae appearance.	

<sup>1</sup>First sustained moth catch (biofix) is defined as the date on which the total of five moths are captured in three pheromone traps within a seven-day period. Consult State Extension Specialists or other qualified authorities for specific information regarding number, placement and management of pheromone traps.

\*CONFIRM 70 WSP is supplied in water-soluble pouches containing 2.7 ounces of 70% ai wettable powder

### **Tree Nut Crops Not Specifically Listed in the Above Charts**

For control of lepidoptera pests for which Confirm 70 WSP is registered.

#### **Restrictions:**

- The maximum application rate is 10.7 oz. (0.47 lb. ai) per acre per application.
- The minimum retreatment interval is 10 days.
- The Pre-Harvest (PHI) is 14 days.
- Do not apply more than 43.5 oz. of Confirm 70 WSP per calendar year.

Performance of Confirm 70 WSP against pests not listed on this label cannot be warranted nor can crop tolerance of Confirm 70 WSP in all types and varieties of tree nuts be assured. If unsure, the user is advised to treat a few trees to observe for symptoms before treating large blocks of trees. Generally, optimum performance against lepidopterous pests (worms) is achieved when Confirm 70 WSP is applied at the initiation of egg hatch. Reapplication in 10 to 20 days may be required if the plant part(s) to be protected from insect damage is rapidly growing or expanding or if pest infestations are heavy or extended.

### **Terms and Conditions of Use**

If terms of the following Warranty Disclaimer, Inherent Risks of Use, and Limitation of Remedies are not acceptable, return unopened package at once to the seller for a full refund of purchase price paid. Otherwise, use by the buyer or any other user constitutes acceptance of the terms under Warranty Disclaimer, Inherent Risks of Use and Limitations of Remedies.

#### **Warranty Disclaimer**

Nippon Soda Co., Ltd. warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions, subject to the inherent risks set forth below. To the extent consistent with applicable law, Nippon Soda Co., Ltd. MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

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It is impossible to eliminate all risks associated with use of this product. Plant injury, lack of performance, or other unintended consequences may result because of such factors as use of the product contrary to label instructions (including conditions noted on the label, such as unfavorable temperature, soil conditions, etc.), abnormal conditions (such as excessive rainfall, drought, tornadoes, hurricanes), presence of other materials, the manner of application, or other factors, all of which are beyond the control of Nippon Soda Co., Ltd. or the seller. All such risks shall be assumed by buyer.

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To the extent consistent with applicable law, the exclusive remedy for losses or damages resulting from this product (including claims based on contract, negligence, strict liability, or other legal theories), shall be limited to, at Nippon Soda Co., Ltd.' election, one of the following:

1. Refund of purchase price paid by buyer or user for product bought, or
2. Replacement of amount of product used

To the extent consistent with applicable law, Nippon Soda Co., Ltd. shall not be liable for losses or damages resulting from handling or use of this product unless Nippon Soda Co., Ltd. is promptly notified of such loss or damage in writing. In no case shall Nippon Soda Co., Ltd. be liable for consequential or incidental damages or losses.

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